

gation and report back to the Senate with their opinion as to the legality of the Act of the Senate in allowing said accounts, and their further opinion as to whether or not under the Constitution and laws of the State of Texas the Comptroller was authorized in refusing to issue warrants to cover the same.

McNEALUS, Chairman.  
PAGE.  
HUDSPETH.

The resolution was read and adopted.

#### Adjournment.

At 12:20 o'clock p. m., on motion of Senator Bee, the Senate adjourned until 10 o'clock next Monday morning, April 23.

#### APPENDIX.

##### Petitions and Memorials.

Senator Lattimore presented to the Senate a communication from the Fort Worth Chamber of Commerce, recommending an organization by the Legislature known as the "Food and Feed Corps of Texas" and offering, at its own expense, sufficient men to care for the Tarrant County unit.

#### FOURTH DAY.

Senate Chamber,  
Austin, Texas,  
Monday, April 23, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Suiter.

The roll was called, a quorum being present, the following Senators answering to their names:

Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Strickland.
Honkins.	Suiter.
Hudspeth.	Westbrook.
Johnson of Hall.	Woodward.

Absent.

Bee. Caldwell.

Absent—Excused.

Alderdice. Henderson.  
Bailey. Johnston of Harris.  
Floyd.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

##### Petitions and Memorials.

See Appendix.

##### Committee Reports.

See Appendix.

##### "America."

At the suggestion of Senator Lattimore, the Senate and all in the Senate Chamber stood and sang our national hymn—"America."

##### Patriotic Speech.

The Chair appointed Senators Lattimore, Hudspeth and McNealus as a special committee to escort Senator Gibson to the president's stand, whereupon he delivered a patriotic speech inspired by the American flag recently placed in the Chamber by a vote of the Senate.

As introductory to his remarks, Senator Gibson had read the following:

##### The Evolution of the Flag.

The poetic impression that our National flag was the spontaneous creation of freedom, who "from her mountain height" impulsively tore a large fragment of the "azure robe of night" and therein planted the stars of the young Republic, is a beautiful one and a credit to Rodman Drake, but the fact is, the flag, like all good things that have a staying power, has had its several phases of evolution. It is the result of the deliberate thought of deliberate men.

It was nearly a year after the declaration of independence, when the Congress of 1777, in session at Phil-

adelphia, created, by resolution, a National flag. The resolution was as follows:

Resolved, That the flag of the thirteen United States be thirteen stripes, alternately red and white; that the union be thirteen stars, white in a blue field, representing a new constellation.

Although the arrangements of the thirteen stars upon the blue field was an entirely new devise, the thirteen stripes in alternate white and blue had already appeared in 1775 upon a standard belonging to the Philadelphia Light Horse, and the flag of the United Colonies that floated over Washington's headquarters in the beginning of 1776 had the thirteen stripes just as they are today, although the blue field bore the crosses of St. George and St. Andrew.

There is a little story that most of us are willing to accept, not only because it connects a patriotic woman with our first flag, but also from the large amount of probability it contains. It is said that a congressional committee, of which Washington was a member, called upon Mrs. John Ross of Philadelphia, and submitted designs for the new flag. After accepting several alterations suggested by Mrs. Ross she was engaged to make the flag. There seems to have been method as well as sentiment in the employment of Mrs. Ross to put together this first standard, as the lady, so saith tradition, was engaged in the upholstery business, and no doubt was an expert in large matters with her needle. Although this flag was not officially accepted until Sept. 8, 1777, it is authoritatively stated that these stars and stripes were carried at the battle of Brandywine, on the 11th of the same month.

The first salute the American flag received from a foreign vessel was fired by the French in 1778 in honor of the ensign floating at masthead of the *Ranger*, commanded by Capt. John Paul Jones. The thirteen stars and stripes remained unchanged for eighteen years, years fraught with the most momentous events to the infant Republic, over whose struggling first years the maiden banner kept a proud and hopeful watch.

The year 1794 saw the birth of two new States. The granite hills of Vermont and the green shores of

"old Kentucky" came into the Union. Upon this occasion two new stars were added to the constellation that had so suddenly and brightly appeared in the firmament of Nations, and two new stripes were added to the width of the flag, little thinking that some day so numerous would be the multiplied stripes that in order to keep the flag within symmetrical proportions and still preserve a visible width to the stripes a return would be made to the original number.

The banner with the fifteen stripes of alternate red and white and the fifteen stars gemming the azure field remained unaltered until so late a date as 1818, during which period it had confronted and triumphed over the cross of St. George in the war with Great Britain. In 1818 the admission into the Union of five sister States (Ohio, Mississippi, Tennessee, Louisiana and Indiana) necessitated a change in the National flag.

After some deliberation, Congress decided that a return should be made to the thirteen original stripes: 1. For the very good reason that the proportions of the flag would be destroyed by additional stripes. 2. A deference to the sentiment that wished to preserve this memorial of the thirteen colonies, to whose effort and valor the States owed their existence. Congress also decided that upon the admission of a new State a star should stand as its exponent upon the blue field, the addition to be made on the Fourth of July following the State's admission.

Therefore, since 1818, there has not been a change in the old flag, excepting when it has made room within its field for a new star, the constellation now numbering forty-eight.

The growth of this country is most conspicuously recorded upon our National banner, and it is interesting to compare its star-spangled field with the one bearing twenty-nine stars that was carried during the Mexican war.

VIRGIANIA QUITMAN McNEALUS.

Following are the remarks of Senator Gibson in full:

Fellow Senators: It is fitting, at this crisis in the history of our nation that the flag of our country should be displayed within this Senate Chamber side by side with the

flag of our State; that the Star Spangled Banner should have a place beside the one "that bears a single star." We have been called to the defense of our national standard, and as loyal citizens of the United States it behooves us to do honor to our country's flag; the flag that inspired the makers of this great republic; the flag of Washington, Jefferson and Monroe.

During the past month the eyes of the world have been directed to the United States. Unwilling to involve this prosperous, peace-loving republic in the terrible conflict which for many months has been shaking the foundations of Old World governments, our great president, Woodrow Wilson, maintained our neutrality as long as consistent with national honor. But the time came when further forbearance meant the trailing of this sacred banner in the dust of submission to foreign arrogance, and then, and not until then, did President Wilson issue the call that has set this starry banner on high throughout the land. Patriots everywhere are answering the call; the defenders of our country are rallying to the standard; on every hand may be heard the sound of marching feet as recruits are being drilled for service under the flag which has been placed before you in this Senate Chamber today and which, by the way, was displayed last Friday, from the flag-staff of the British Parliament building, for the first time in history—a mark of respect from the country which was the first to go down in defeat before this starry banner.

When we remember that in its original form, when the first flag was made in 1777, by the hands of Mrs. Martha Ross, according to the design agreed upon, it bore but thirteen stars, while today forty-eight stars appear, leaving only the thirteen stripes as a perpetual reminder of the thirteen original colonies which banded together to form the United States of America, we are impressed with the wonderful growth of our nation. When we consider only a small cluster of infant commonwealths first constituted this Union, and that it has expanded until the Star Spangled Banner floats over a territory that reaches from the shores of the Great Lakes to the Gulf of Mexico; from where the great Atlantic washes the Eastern

coast to where the sun-kissed Pacific laps the shores of fair California, we are stirred with patriotic pride. When we contemplate the added domains over which floats the Stars and Stripes—O'er rugged, cold Alaska and the islands of the sea, we realize that the flag of freedom is the emblem of progress.

It is our privilege to live in the greatest country under heaven's broad dome, a country that in 1789 numbered but 4,000,000 people, while in 1916, according to the latest statistics, 102,000,000 dwelt under the protecting shadow of Old Glory. This flag floats over a land whose resources would be sufficient to feed the entire civilized world; a land which in 1916 exported products to the value of \$4,500,000,000, nearly twice as much as the exports of any other nation, and which has come to the rescue of many thousands of destitute, starving sufferers in war-torn Europe where hopeless faces have learned to brighten and despairing hearts to take courage at the sight of the Star Spangled Banner.

As in the days when our forefathers reared this emblem in assertion of their independence of English rule, so now the Stars and Stripes are pointing the way to world-wide freedom, and every true patriot is reminded that the principles on which our government was founded are the principles which underlie the great conflict into which we have entered.

It is no new thing for the sons of Texas to answer to the call of liberty. The pages of our history are adorned by the names of the heroes of the Alamo, of Goliad, of San Jacinto; and the same spirit of patriotism which actuated these brave men to give their all for freedom is prompting Texans today to prove their loyalty to the national government and its institutions, and to our great Commander-in-Chief, Woodrow Wilson. Never in the past has Texas been found wanting, and under the folds of the Star Spangled Banner the descendants of Texas pioneer patriots and sons of the Southland, together with those who have adopted this government as their own, are assembling, with "One flag, one land, one heart, one hand, one country evermore."

Gentlemen of the Senate, I am proud to have this opportunity to pay tribute to the flag of our coun-

try. May its onward march continue until tyranny and oppression shall be no more; and may it not be long until governments everywhere shall be of the people, for the people, and by the people, and the principles of democracy, the principles of Thomas Jefferson and of Woodrow Wilson, shall prevail in every land.

There is no such red in the budding rose;

There is no such blue in the skies;  
There is no such white in the winter  
snows,

As we see when Old Glory flies.

Senator Gibson's speech is here printed in full by order of the Senate.

#### Excused.

Senator Lattimore made the following motion in writing:

I move that the following Senators be excused: Senator Bailey for today; Senators Hudspeth and Alderdice indefinitely; Senator Floyd for the week; Senator Caldwell for today; Senator Page for today.

LATTIMORE.

The motion was read and adopted.

#### An Invitation.

A resolution by the State University Oratorical Association, inviting the Senate to a joint debate between Texas and Southern California Universities, to be held in the House of Representatives at 8 p. m., April 23, was laid before the Senate.

On motion of Senator McNealus the invitation was accepted.

#### Bills and Resolutions.

##### Senate Concurrent Resolution No. 3.

Whereas, a shortage in the food crops of the United States has been predicted by the Federal Government and for this reason and for the further reason that war stalks abroad in the land, President Wilson has called upon the citizenship of this Nation to use its every effort to conserve its food supply and,

Whereas, it is more necessary for soldiers to have bread than it is to furnish them with arms and ammunition; and,

Whereas, statistics show that more

than 600,000,000 bushels of grain in this country are converted annually into intoxicating liquors by the distillers and breweries of the United States thereby destroying much of the nations food supply.

Be it therefore resolved, That we, as patriotic American citizens who desire to serve our country in this time of need, recommend to his excellency, the President of the United States, that until peace is assured, that no more food stuffs be hereafter used in the United States for the purpose of making intoxicating liquors.

STRICKLAND.

The resolution was read and Senator Strickland moved its adoption.

As a substitute, Senator Hall moved to refer the resolution to the Committee on Federal Relations.

Senator Strickland moved to table the substitute and the motion prevailed.

Senator Strickland offered the following amendment which was read and adopted:

Amend the resolution by adding in an appropriate place "except for medicinal and artistic purposes."

Action recurred upon the resolution as amended and the same was adopted.

##### Simple Resolution No. 11.

Whereas, a representative woman of Texas, devoted to music and the kindred arts, Miss Selma Katzenstein, of Dallas, has written and had set to music a patriotic song, "All Hail America," and

Whereas, Said patriotic song has received most flattering endorsement and criticism from competent authorities in music throughout the United States; therefore, be it

Resolved, That the Texas Senate congratulates Miss Katzenstein upon the excellent production herein referred to and that the Texas Senate hereby recommends that the same be used in the public schools of Texas as one of the patriotic songs of the State and the nation.

And, be it further Resolved, That the words of this song be printed in today's Senate Journal.

MCNEALUS.

KING.

The resolution was read and adopted, and the song in full is as follows:



## ALL HAIL, AMERICA.

## 1.

Dear land of ours, may heav'nly powers  
Protect and guard you ever:  
And guide thy path, and give thee faith,  
And joy in high endeavor,  
To seek the light in honor's eyes,  
Nor be content with lesser prize;  
To strive to win a noble fight  
In God's most holy sight.

## Chorus.

All hail, America.  
Our love for her, a very star,  
Shall light our way to heaven's door,  
And joy forevermore!

## 2.

We'll sing in praise of other days,  
And many a deed of glory  
Of thy great past, whose fame shall last  
And ring thro' song and story,  
Of triumphs of thy daughters fair  
In noble lives beyond compare,  
And battles by the brave sons fought,  
And many a wonder wrought.

## Chorus.

## 3.

Not hate, but love shall thy heart move  
For men of every nation,  
Whom wondrous fate sends to thy gate  
To seek for their salvation.  
Beneath thy skies they shall find rest,  
And joy and freedom on thy breast;  
Their noble worth thou'lt reverent learn,  
And with love's ardor burn.

## Chorus.

## 4.

Thy hero-sons shall train their guns  
'Gainst wrong and fell oppression;  
Brave love shall lead on honor's steed,  
And gain at last possession—  
Of strongholds where the intrenched foe  
Their flaunting token boldly show.  
The banners of the right unfurled  
Shall float o'er a new world!

## Chorus.

All hail America!  
Our love for her, a very star,  
Shall light our way to heaven's door,  
And joy forevermore!

## Simple Resolution No. 12.

Whereas, the National Congress is today considering the best plan of meeting the needs of this world crisis—as it calls upon America. Therefore, be it resolved that we the Texas Senate heartily endorse the President's plan of selective universal military service and urge our Representatives to vote for the same, and that a copy of this resolution be wired by the Secretary of the Texas Senate to the President of the National Senate and the Speaker of the House of Representatives at Washington.

ROBBINS.  
LATTIMORE.

Senator Hudspeth moved the adoption of the resolution and moved the previous question on the same, which being duly seconded the main question was ordered.

Action recurred upon the resolution and the same was adopted by the following vote:

## Yeas—21.

Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	Robbins.
Decherd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Hopkins.	

## Nays—2.

McNealus.	Parr.
-----------	-------

## Absent.

Caldwell.	Woodward.
Page.	

## Absent—Excused.

Alderdice.	Henderson.
Bailey.	Johnston of Harris.
Floyd.	

## Reasons for Vote.

My reasons for voting "No" on

Senate Simple Resolution No. 12, are as follows:

There is pending a controversy between the President of the United States and the Congress of the United States as to the merit and reliability of the volunteer soldier system as against the President's desire for what might properly be termed a limited compulsory military conscription service. I can not endorse compulsory military service, as a part of the governmental system of defense for this republic. Neither can I see my way clear to discredit, in advance, the efficiency of the American volunteer army system. The voluntary system of military service, in any emergency, since the foundation of the government, has proven itself sufficient for all contingencies and emergencies. I am not willing to vote to practically endorse a one-man government in the American republic. No President, no matter how eminent and patriotic his services and his impulses may be, should be considered superior to the judgment of the American Congress. I believe in a representative government. I believe the American Congress is entitled to as much respect, as much consideration, and as much confidence as is any man who may temporarily be occupying the chair of chief executive of this republic. I do not believe in man-worship nor political idolatry. I believe in the simplicity of our American institutions. One of the elements of our superiority and of our confidence in this simplicity of government has been the volunteer system of military service, for more than a century and a quarter in our national history. In the pending emergency of national affairs the military arm of the government has been appealed to, and will be appealed to, for the preservation of our American institutions, our American lives, and our national honor. But nothing has developed, up to this time, that would justify any legislative assembly to reflect upon the National Congress or to encourage any challenge of the reliability of the American volunteer soldier. And, until the American volunteer military system shall have proven its inefficiency to meet national emergencies, I shall always oppose superseding that system by compulsory military service, which has proven to be the corner stone of militarism in the former kingdom

of Prussia, and in the German Empire, of our day. I feel that if militarism in the American republic shall be given even a foothold, ultimately it will upset the entire structure of our free institutions. While there is pending in the national Capitol a controversy between the President of the United States on the one hand and the American Congress on the other, as to which of two military systems shall be adopted for the protection and preservation of our republic, I shall not willingly support any measure that does not receive the sanction and final endorsement of the American Congress, composed of representatives of the American people, elected for the purpose of conducting the affairs of our government, not only in peace but in war. If the Congress of the United States shall vote for compulsory military service, in any phase or degree, I will, as a good American citizen, bow to that judgment; but, preceding any such action as here indicated, I shall insist that the American citizen is still superior to the professional soldier, that the American Congress is still superior to any man who may temporarily occupy the position of President of the United States, and that the simplicity of government by the people is preferable to military domination. This, from my viewpoint, is the only safe policy and principle to adhere to, if American free institutions are to be preserved. I can not be one to join those who, for the first time in American history, where a legislative assembly has discredited, in advance, the American volunteer soldier and his patriotism, instead of giving to that patriotic system a fair test as to its efficiency, at this time, as it has proven itself to be in the past emergencies of our national life. Whenever the volunteer system shall be proven a failure, I shall be willing to accept any other expedient that may be considered available and necessary for the national defense. No call has yet been made upon the States of the Union for volunteers to defend the Flag or the national honor. Until such call shall have been made by the proper authorities and through the proper procedure and has failed to develop sufficient defense, I shall not vote for compulsory military service instead of the volunteer system, that has so long

upheld the free institutions of my country.

J. C. McNEALUS,  
State Senator, Sixth District.

I endorse the above statements and desire them printed in the Senate Journal as my reasons for voting "no" on Senate S. R. No. 12.

A. PARR,  
State Senator Twenty-third District.

**Senate Concurrent Resolution No. 3**  
**—To Reconsider.**

Senator McNealus moved to reconsider the vote by which S. C. R. No. 3 was adopted; and spread that motion on the Journal.

Senator Strickland moved as a substitute that the resolution be reconsidered.

Senator King made the point of order that both motions were out of order for the reason that the resolution is not before the Senate.

The point of order was sustained.

Senator Hudspeth then moved to recall S. C. R. No. 3 from the House for further consideration.

Senator Strickland moved to table the motion, which motion to table prevailed by the following vote:

Yeas—16.

Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McNealus.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Gibson.	Suiter.
Hopkins.	Westbrook.
Johnson of Hall.	Woodward.

Nays—7.

Bee.	Hudspeth.
Clark.	King.
Hall.	Parr.
Harley.	

Absent.

Caldwell.	Page.
McCollum.	

Absent—Excused.

Alderdice.	Henderson.
Bailey.	Johnston of Harris.
Floyd.	

**Adjournment.**

At 1:20 o'clock p. m. on motion

of Senator Lattimore the Senate adjourned until 10 o'clock tomorrow morning.

**APPENDIX.**

**Petitions and Memorials.**

Senator Smith offered a letter from the State Manager of the W. O. W. asking his support of a bill to be introduced making a million dollar appropriation for equipment and maintenance of Texas militia.

Senator Dayton offered a telegram from A. M. Ferguson of Sherman favoring liberal appropriations for A. & M. Colleges.

Senator Strickland sent up and had read a letter from C. B. Moore of Lovelady, expressing appreciation for efforts to keep appropriations at a minimum.

Senator Clark offered the following letter:

Flatonía, Texas, April 20, 1917.

Hon. I. E. Clark,

Senate Chamber,  
Austin, Texas.

We, the undersigned citizens of Flatonía, Texas, beg to inform you that your proposed rider to all appropriation bills presented whereby the payment of public moneys to persons not citizens of the United States is prohibited, has our hearty endorsement and approval.

We feel that this provision is a wise principle of government and we recommend it to the thoughtful consideration of the entire Legislature.

L. N. Lyon, J. J. Padlemeyer, Henry Miller, M. A. Brummemann, C. P. Harrison, L. E. Berger, Ed Makulitt, M. A. Noble, E. A. Armim, F. M. Worley, F. J. Starry, H. F. Burns, Willie Kötzbue, Geo. Lauterstein, C. A. Pearson, P. E. Cooper, O. L. Lee, Sam Hopper, Geo. Feuman, F. Svasty, A. M. Gorch, E. J. Svasta, D. A. Jennings, D. J. Decherd, D. G. Gebert, R. E. Hinton, L. S. Wamecke, E. G. Curden, W. O. Garbade, E. A. Decherd, John Rollig, Henry Hun, G. O. Menefee, H. A. Schutz, V. F. Faklor, C. W. Burns, R. R. Harrison, E. C. Decherd, D. F. Johnson, Wm. C. Koch, N. V. Veyson, G. A. Simmons, H. W. Gabetzsch, S. L. Sullivan, P. H. Gilbert.